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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/660,735

09/12/2003

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EXAMINER

KASSA, HILINA S

ART UNIT

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/660,735	Applicant(s) KOBAYASHI, MASAYA	
	Examiner HILINA S. KASSA	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 April 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-25 and 28-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-25 and 28-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The supplementary preliminary amendment filled on 06/29/2006 has been acknowledged.
2. Claims 21-25 and 28-30 are pending.

Continued Examination Under 37 CFR 1.114

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 04/23/2008 has been entered.

Response to Arguments

4. Applicant's arguments with respect to claim 21 have been considered but are moot in view of the new ground(s) of rejection.
5. The argument made for the rejection of claims 21-22, 24-25 and 28 is noted. It is clear that the Examiner is trying to make a 102(e) rejection for the claims stated above by using sole reference Cook et al. (USPN 7,190,473). However, it is a typographical error made by the Examiner to include the Lopez reference and made it 103(a).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 21, 22 and 24-25 and 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cook et al. (US Patent Number 7,190,473 B1) and in view of Sekiguchi et al. (US Patent Number 6,710,789 B1).

(1) regarding claim 21:

As shown in figure 3, Cook et al. a display apparatus for displaying content (**30, figure 3; column 7, lines 17-18; note that the display apparatus is a liquid crystal display**) based on a print job corresponding to a plurality of pages in response to one print instruction (**column 7, lines 36-42; note that a number of primary states which correspond to the digital images gets displayed**), the display apparatus comprising:

a display unit that displays the content on a screen (**column 7, lines 37-42; note that the display unit previews images that are specified for printing**); and

a control unit that causes the display unit to display that content laid out for one of the pages which is being printed (**24, figure 4; column 8, lines 32-36; note that the layout is associated with the page view and may be selected when the page view is active. Also in column 9, lines 4-7, when the image view is active, pressing the print button instructs image processing to immediately print**),

wherein if the content includes a plurality of contents laid out for the one of the pages being printed (**76, figure 7a; column 10, 11-18; note that the content of page 76 gets displayed in the manner in which it gets printed**), then the control unit automatically changes a number of the contents *laid out for the one of the pages being printed*, displayed on the screen by the display unit, in accordance with a printing situation (**column 10, lines 11-32; note that when the page includes plurality of contents or images , the change gets displayed. Also, changes made to the menu option get displayed immediately to reflect the selection on the page column 10, lines 53-56**).

Cook et al. disclose all of the subject matter as described as above except for specifically teaching wherein *the number of the contents displayed on the screen is changed from a number of a first group of the contents laid out for the one of the pages being printed, to a number of a second group of the contents laid out for the one of the pages being printed, and wherein, if the number of the contents laid out for the one of the pages being printed is four, then the number of the first group of the contents is two and the number of the second group of the contents is two.*

However, Sekiguchi et al. disclose wherein *the number of the contents displayed on the screen is changed from a number of a first group of the contents laid out for the one of the pages being printed (E1, E4, figure 14, column 11, lines 22-25; note that E1 represents the page for the entire screen and E4 represents the portion of the upper half i.e. considered as a first group), to a number of a second group of the contents laid out for the one of the pages being printed (E5, figure 14, column 11,*

lines 24-25; note that the E5 is considered as the second group as it is the lower half of the page), and wherein, if the number of the contents laid out for the one of the pages being printed is four (E2, E3, E4, E5 figure 14; column 11, lines 22-25; note that E2 is the left half, E3 is the right half, E4 is the upper half and E5 is the lower half), then the number of the first group of the contents is two and the number of the second group of the contents is two (E4, E5, figure 14; column 11, lines 22-34; note that E4 is considered as the first group and E5 is considered as the second group).

Cook et al. and Sekiguchi et al. are combinable because they are from the same field of endeavor i.e. printing with graphical user interface. At the time of the invention, it would have been obvious to a person of ordinary skilled in the art to wherein the number of the contents displayed on the screen is changed from a number of a first group of the contents laid out for the one of the pages being printed, to a number of a second group of the contents laid out for the one of the pages being printed, and wherein, if the number of the contents laid out for the one of the pages being printed is four, then the number of the first group of the contents is two and the number of the second group of the contents is two. The suggestion/motivation for doing so would have been in order to efficiently display multiple contents as desired by user. Therefore, it would have been obvious to combine Cook et al. with Sekiguchi et al. to obtain the invention as specified in claim 21.

(2) regarding claim 22:

Cook et al. further disclose the display apparatus according to claim 21, wherein the control unit causes the display unit to display the content to be printed before printing the content is started (**column 7, lines 48-50; note that the display unit previews a page before it gets printed**).

(3) regarding claim 24:

Cook et al. further disclose the display apparatus according to claim 21, wherein the control unit causes the display unit to display at least a part of each content (**column 7, lines 42-45; note that the display unit displays a formatted or unformatted version of an image**).

(4) regarding claim 25:

Cook et al. further disclose the display apparatus according to claim 21, wherein the control unit causes the display unit to change a display by a predetermined number of contents when a plurality of contents are laid out for one page (**column 7, lines 37-42; note that the display comprises different views in which images and other information may be depicted on the display**).

(5) regarding claim 28:

Cook et al. further disclose the displaying apparatus to claim 21, further comprising:

a receiving unit that receives a print progress information which is generated in according with a progress of a printing operation based on the print job (**column 6, lines 16-26; note that digital photographs are received**) and which includes a layout of the one of the pages being printed (**column 8, lines 32-35; note that a page menu displays the layout view for the page**) and a serial number assigned to the page being printed (**column 9, lines 29-33; note that photo number gets assigned for each photographs that are about to be printed**) and corresponding to an image number identifying the content (**column 9, lines 33-36; note that the assigned photo number corresponds to the image to provide an easy means for the user to recall the image**); and

a reading unit that reads a display layout definition filed based on the layout (**column 10, lines 1-16; note that the page preview gets displayed according to the photographic images arrangement**),

wherein the control unit analyzes the display layout definition file to set display information (**column 10, lines 16-18**) and analyzes the serial number and the display definition file to read the content laid out for one of the pages being printed (**column 10, lines 23-32**); and

the control unit causes the display unit to display the read content based on the display information (**column 10, lines 34-44**).

(6) regarding claim 29:

Cook et al. further disclose the display apparatus according to claim 21, wherein if the number of the contents laid out for the one of the pages being printed is two (**48, figure 11b, column 12, lines 40-42; note that the content of the page or the image view has two layouts**), then the number of the first group of the contents is one and the number of the second group of the contents is one (**column 12, lines 43-53; note that the two layouts are shown in figure 12 in the same page**).

(7) regarding claim 30:

Cook et al. disclose all of the subject matter as described as above except for specifically teaching wherein one of the contents is arranged at an upper side of the one of the pages, and another of the contents is arranged at a lower side of the one of the pages, and wherein the one of the contents arranged at the upper side corresponds to the first group of the contents, and the other of the contents arranged at the lower side corresponds to the second group of the contents.

However, Sekiguchi et al. disclose wherein one of the contents is arranged at an upper side of the one of the pages (**E1, E4, figure 14, column 11, lines 22-25; note that E1 represents the page for the entire screen and E4 represents the portion of the upper half i.e. considered as a first group**), and another of the contents is arranged at a lower side of the one of the pages (**E5, figure 14, column 11, lines 24-25; note that the E5 is considered as the second group as it is the lower half of the page**), and wherein the one of the contents arranged at the upper side corresponds to the first group of the contents (**column 11, lines 22-25; note that E1 represents the**

page for the entire screen and E4 represents the portion of the upper half i.e. considered as a first group), and the other of the contents arranged at the lower side corresponds to the second group of the contents (column 11, lines 24-25; note that the E5 is considered as the second group as it is the lower half of the page).

Cook et al. and Sekiguchi et al. are combinable because they are from the same field of endeavor i.e. printing with graphical user interface. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to wherein the number of the contents displayed on the screen is changed from a number of a first group of the contents laid out for the one of the pages being printed, to a number of a second group of the contents laid out for the one of the pages being printed, and wherein, if the number of the contents laid out for the one of the pages being printed is four, then the number of the first group of the contents is two and the number of the second group of the contents is two. The suggestion/motivation for doing so would have been in order to efficiently display multiple contents as desired by user. Therefore, it would have been obvious to combine Cook et al. with Sekiguchi et al. to obtain the invention as specified in claim 30.

8. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cook et al. (US Patent Number 7,190,473 B1) and Sekiguchi et al. (US Patent Number 6,710,789 B1) as disclosed in claim 21, and further in view of Chiarabini et al. (US Patent Number 5,963,216).

(1) regarding claim 23:

Cook et al. and Sekiguchi et al. disclose all of the subject matter as described as above except for specifically teaching wherein the control unit stops display switching of the content to be printed based on a print cancel command.

However, Chiarabini et al. disclose wherein the control unit stops display switching of the content to be printed based on a print cancel command (**column 10, lines 44-53; note that user can preview each page and cancel the printing job as desired**).

Cook et al., Sekiguchi et al. and Chiarabini et al. are combinable because they are from the same field of endeavor i.e. with graphical user interface. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to have a cancel button that cancels print jobs and resumes to display. The suggestion/motivation for doing so would have been for flexibility and efficiency so that user could get notified via the display that the job is canceled. Therefore, it would have been obvious to combine Cook et al. with Chiarabini et al. to obtain the invention as specified in claim 23.

Conclusion

9. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Hilina Kassa whose telephone number is (571) 270-1676.

Art Unit: 2625

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore could be reached at (571) 272- 7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about PAIR system, see <http://pari-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hilina S Kassa/
Examiner, Art Unit 2625
May 7, 2008

/Mark K Zimmerman/
Supervisory Patent Examiner, Art Unit 2625